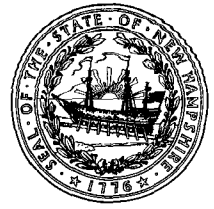




The State of New Hampshire
Department of Environmental Services



Michael P. Nolin
Commissioner

**LETTER OF DEFICIENCY
WET 06-044**

May 08, 2006

Taber Realty Trust
David A Pope, Trustee
1052 Ocean Blvd
Hampton, NH 03842

RE: DES Wetlands File #2006-00389 4 South Rd, Hinsdale

Dear Mr. Pope:

On April 10, 2006, personnel from the Department of Environmental Services ("DES") conducted an inspection of the above referenced property, more specifically referenced on Town of Hinsdale Tax Map 20 as Lot 4 (the "Property"). The purpose of the inspection was to determine compliance with RSA 482-A and NH Code of Admin. Rules Wt 100-800 and RSA 149-M.

During the inspection the following deficiencies were documented:

1. Wood chips and debris had been deposited on the bank of an intermittent stream. The debris extended approximately 100 linear feet along the bank.
2. Riprap and an outfall pipe had been installed at the headwaters of the stream.
3. A large amount of sediment had been deposited in the stream channel, extending approximately 100 linear feet. The sediment depth varied from approximately 6 inches to a foot.

In response, and as agreed to at a meeting on April 28, 2006, with DES staff, you are requested to take the following actions:

1. By August 1, 2006, remove the debris and wood chips from the stream bank. Stabilize any bare soils on the bank by seeding and lightly mulching where necessary.
2. By August 1, 2006, install measures at the top of the bank, such as a fence and row of trees, to prevent unauthorized dumping over the bank.
3. By August 1, 2006, remove the outfall pipe and slope the riprap at a 3:1 slope. Vegetate the area immediately adjacent to the riprap to reduce soil erosion.
4. By August 1, 2006, remove the sediment at no flow conditions, to the extent practical from the stream channel. The method of sediment removal shall be approved by DES prior to implementation.
5. By August 1, 2006, remove and properly dispose of all construction and demolition debris including painted wood, shingles, wall board and other solid wastes including all plastic and metal debris from the bank and stream.

6. By September 1, 2006, submit photo documentation and a corresponding site map to demonstrate the above deficiencies have been corrected and provide receipts for the disposal of the solid waste.

RSA 482-A, the New Hampshire Wetlands law, was enacted to protect and preserve wetlands and surface waters from unregulated despoliation. Prior to dredging, filling, or construction in and adjacent to wetlands or surface waters, an individual is required to obtain a permit. If work is done without a permit, this is considered a violation of RSA 482-A. Failure to respond to this Letter of Deficiency in a timely and complete manner may be construed as noncompliance by the receiving party.

DES personnel may conduct another inspection at a later date to determine whether you have come into and are maintaining full compliance with the applicable statute and rules.

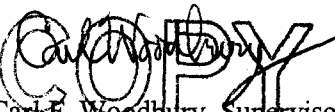
Issuance of this letter shall not preclude further enforcement by DES. Failure to comply with RSA 482-A will result in enforcement by DES, including but not limited to the issuance of fines, administrative orders, or referral to the New Hampshire Office of the Attorney General for prosecution of civil or criminal penalties. If an order is issued to you, it may also be recorded with the Registry of Deeds as an encumbrance against your property.

All documents submitted in response to this Letter of Deficiency should be addressed as follows:

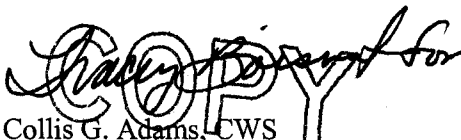
Dawn Buker, Wetlands Compliance
Wetlands Bureau
Department of Environmental Services
29 Hazen Drive
PO Box 95
Concord, NH 03302-0095

Should you have any questions regarding this letter, or wish to arrange a meeting, please contact Dawn Buker at (603) 271-4066.

Sincerely,


Carl F. Woodbury, Supervisor

SRCIS
Oil Remediation and Compliance Bureau


Collis G. Adams, CWS

Administrator
Wetlands Bureau

CERTIFIED MAIL # 7002 3150 0001 5411 1326

cc: Rene Pelletier, Asst. Director, Water Division
Gretchen R. Hamel, Administrator, DES Legal Unit
Hinsdale Conservation Commission and Board of Selectmen
USACOE
Mark Young, Manager Thicket Hill Village